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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/813,269

03/31/2004

Lawrence Shah

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EXAMINER

NGUYEN, DUNG T

ART UNIT

PAPER NUMBER

2828

MAIL DATE

DELIVERY MODE

04/09/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/813,269	<b>Applicant(s)</b> SHAH ET AL.	
	<b>Examiner</b> DUNG T. NGUYEN	<b>Art Unit</b> 2828	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 02/20/08.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-31,48-74 and 117-120 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6,11-22,26-31,48-54,59-70 and 117-120 is/are rejected.
- 7) ☒ Claim(s) 7-10,23-25,55-58 and 71-74 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>03/21/08</u> .  | 6) <input type="checkbox"/> Other: _____                          |

**OFFICE ACTION**

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-2, 11-17, 26-31, 48-49, 51, 59-65, 117, and 119 are rejected under 35 U.S.C. 102(b) as being anticipated by Abedin (2002/0044574).

Claims 1-2, 11-17, 26-31, 48-49, 51, 59-65, and 119, Fig.8 shows an apparatus for generating optical pulses, wherein each pulse may have individualized characteristics, the apparatus comprising:

laser means 301, for generating bursts of composite pulses (it is understood that the pulses are composite because of the fixed duration threshold between two pulses), and for amplifying said composite pulses in a same fiber amplifier gain medium 301, wherein said laser means is configured so that each of said pulses are incident on said same fiber laser gain medium and emitted from the same fiber gain medium along a common optical path;

control means 324 that controls the laser means; and

beam manipulation means 316-317 for monitoring the wavelength characteristics of the pulses comprising the composite pulse bursts and generating feedback data for the control means for pulse wavelength control.

Claim 117, Fig.8 shows a modulator 306.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3, 5-6, 18, 21-22, 50, 53-54, 66, 69-70, 118, and 120 are rejected under 35 U.S.C. 103(a) as being unpatentable over Abedin (2002/0044574) in view of Harter et al. (2005/0111500).

Claims 3, 18, 50, 66, Abedin discloses all limitations of the claims except for the stretcher and the compressor.

Harter teach in Fig.10 the stretcher and the compressor 102.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide Abedin what is taught by Harter for compression of the stretched amplified pulses (para.0072).

Claims 5-6, 21-22, 53-54, 69-70, and 120, Harter disclose in para.0070 the means for converting the fundamental frequency.

Claim 118, Harter disclose in para.0003 the pulse widths in the range of fs to ps.

Claims 4, 19-20, 52, 67-68 are rejected under 35 U.S.C. 103(a) as being unpatentable over Abedin (2002/0044574) in view of Goto et al. (6618531). Abedin disclose all limitations of the claims except for the power meter measuring the power and the gating device measuring the pulse duration.

Goto teach in Fig.2 the power meter 15 measuring the power and the gating device 14 measuring the pulse duration.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide Abedin what is taught by Goto to measure the wavelength characteristics.

#### ***Allowable Subject Matter***

Claims 7-9, 23-25, 55-57, 71-73 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 10, 58, and 74 are also found objected due to their dependency of above claims.

#### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

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MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

### **Communication Information**

**Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dung (Michael) T Nguyen whose telephone number is (571) 272-1949. The examiner can normally be reached on 8:30 - 17:00.**

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Min Harvey can be reached on (571) 272-1835. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

**Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-3329.**

**Michael Dung Nguyen  
Primary Examiner**

/Dung (Michael) T Nguyen/

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3/28/08